

Understanding Catholic Fundamentalism in the Philippines: How conservative religious teachings on women, family and contraception are wielded to impede the Reproductive Health Law and other reproductive health policies



Building New Constituencies for Women's Sexual and Reproductive Health
and Rights (SRHR): Interlinkages between Religion and SRHR



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NATIONAL REPORT

Understanding Catholic Fundamentalism in the Philippines: How conservative religious teachings on women, family and contraception are wielded to impede the Reproductive Health Law and other reproductive health policies

Likhaan Center for Women’s Health
Asian-Pacific Resource and Research Centre for Women (ARROW)

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LIST OF ACRONYMS

ALFI	Alliance for Life and the Family	LGUs	Local Government Units
ARMM	Autonomous Region of Muslim Mindanao	NFP	Natural Family Planning
BFAD	Bureau of Food and Drugs	NGO	Non-government Organization
CBCP	Catholic Bishops’ Conference of the Philippines	PopCom	Commission on Population
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women	PSA	Philippine Statistics Authority
CFC	Couples for Christ	RA	Republic Act
CFC-GMFI	Couples for Christ Global Mission Foundation Inc.	RH	Reproductive Health
DOH	Department of Health	RHAN	Reproductive Health Advocacy Network
GK	Gawad Kalinga	RHR	Reproductive Health and Rights
HB	House Bill	SRH	Sexual and Reproductive Health
HLI	Human Life International	SRHR	Sexual and Reproductive Health and Rights
IUD	Intrauterine Device	TRO	Temporary Restraining Order
KII	Key Informant Interviews	UN	United Nations
LGBT	Lesbian, Gay, Bisexual and Transgender	US	United States
		VAW	Violence Against Women

EXECUTIVE SUMMARY

The Catholic Church has established and sustained significant power over Philippine politics and society in the past—through Spanish rule from the 16th century towards the end of the 19th century, and in 1986 and 2001 during the ouster of two Presidents—until the present as manifested in the country’s moral values, way of life and behavior in social and public activities. Conservative Catholic teachings instilled into state policies and governance deprive the enjoyment of basic human rights. The Philippines, in effect, remains a Catholic state in practice despite being a secular state by proclamation.

This report focuses on both Catholic Fundamentalism and its opposition to sexual and reproductive health (SRH) policies, especially the Reproductive Health (RH) Law, and the alternative and more liberal views of Catholic Progressives, including their strongest purveyors. Catholic Fundamentalism is defined as the use of the Catholic Church’s political power to impose on and inject Catholic doctrines into state policies and governance. This report is the result of a research on the Catholic Church’s official teachings related to RH and rights and its personages/ blocs; assessments of their impact on RH policies, especially the RH Bill and Law, the Supreme Court decision on the Law and its implications; and interviews with various pro-RH expert practitioners in their respective sector, including a Muslim academic who provided a counterpoint to the Catholic views.

Fundamentalist Catholic teachings, believed to be immutable and universal, limit a woman’s role to motherhood and family; confine sexual intimacy only to marriage and to result only in procreation; and subject young people to their parents’ decisions. Progressive Catholic views, marked as more flexible and liberal, challenge these beliefs and even cite equally authoritative teachings as references. While fundamentalist Catholics

assert that teachings on RH are evil, more than a hundred respected Catholic university faculty members, among others, affirmed that Catholics could support RH in good conscience. Similar statements of support to the Bill came out from groups in other Catholic schools. Contrary to Fundamentalist Catholics ensuring obedience to the “natural law” as a Catholic duty, Progressive Catholics are exercising dissent, which is included in the Catechism (doctrinal manuals) of the Catholic Church and is deemed allowed on non-infallible papal teachings, such as contraception and homosexuality. Catholic moral theology advises that in a disputed moral issue, a Catholic may, in good conscience, follow a position, even though it is espoused only by a minority of reputable moral theologians (concept of probabilism).

Public health policies are affected by fundamentalist Catholic teachings, such as the 1987 Constitution which enshrines the protection of the unborn from the moment of conception and also declares the separation of Church and State; the Natural Family Planning Only policy and banning of the emergency pill, Postinor, by the Department of Health under President Arroyo’s administration; the banning of artificial contraceptives and condoms from 2000 to 2011 by local government officials in the executive and legislative branches based on “Pro-Life” values and teachings; and the Supreme Court’s 2014 ruling on the “Pro-Life” challenge to the RH Law which altered the Law further to restrict contraceptive services to adolescents, allow the requirement of spousal consent and expand the meaning of “abortifacient” and “conscientious objection.”

Catholic fundamentalist teachings negatively affected women and their families through the denial of RH information, commodities, and services—particularly family planning, condoms, post-abortion care, and safe abortion.

These teachings on women stunt their growth and value them only as mothers. The Catholic hierarchy’s power dampens self-expression in some RH advocates, and intimidates others. Some of these Catholic RH advocates maintain their critical thinking and some have stopped going to church. Some use Family Planning as a matter of conscience. For these Catholic Progressives, the Church of the Faithful is non-hierarchical and inclusive, open-minded and not authoritarian. They believe in the importance of critical thinking among Catholics and that the Catholic Church should revisit its views on women, family and marriage, including Sexual and Reproductive Health and Rights (SRHR) and Violence Against Women. For Muslims, the perceived challenges in the implementation of the RH Law in their areas would be the lack of support for it, given that the Philippines is a Christian-dominated country with non-recognition of Muslim cultural practices, leading to more deaths among mothers.

The remaining challenges posed by Catholic Fundamentalism are the effects of Supreme Court amendments to the RH Law that affect access to contraceptive supplies and services, the continuing prohibition against legal and safe abortion, and issues stemming from actions by “pro-life” groups. Given these issues, this report recommends specific actions to policymakers to ensure that SRHR are “respected, protected and fulfilled,” and to RH advocates to push for SRHR policies and programs in different areas and levels of governance, to counter moves by “pro-life” groups and at the same time promote the progressive approach to understanding Catholic teachings.

1. INTRODUCTION

On December 21, 2012, the Reproductive Health Law (Republic Act No. 10354) enacted by the Philippine Congress was signed into law by President Benigno S. Aquino III. The Law has over 20 provisions, key of which are: the hiring of personnel for maternal health care (Sec. 5); universal access to Family Planning, including for minors who are already parents or have been pregnant (Sec. 7); the provision of age-appropriate Reproductive Health Education (Sec. 14); and the prohibition and penalization of acts (Sec. 23 and Sec. 24), including by health providers who deliberately withhold and misinform patients, refuse to provide services owing to the lack of spousal or parental consent, and for reasons of conscientious objection refuse to refer patients, who are not in emergency situations; as well as by public officers who induce and coerce the use or non-use of Family Planning methods and prohibit the provision of RH services and budgets.

The passage of the Responsible Parenthood and Reproductive Health Act of 2012 (Republic Act No. 10354), popularly known as the RH Law, represents the acme of protracted efforts by many sectors of Philippine society, in government and outside of government. Its intention was to enable universal access to reproductive health services and assist in the empowerment of women, especially poor women, and their families. The Law, it is hoped, will put an end to violations of reproductive rights, such as bans on contraception and condoms that were imposed in the past with dire outcomes for women and young people.

Throughout the long years of struggle for the RH Law, the central problem was the refusal of legislators, with the tacit assent of past Philippine presidents, to enact a policy perceived to be contrary to Catholic tenets. This included the forbiddance of contraception. This research describes the situation, the actors, the events and the

results of efforts to overcome the power of closed, orthodox and hegemonic Catholicism—referred to here as Catholic Fundamentalism. This brand of conservatism is not unique to the Philippines, being similarly described in Latin America, Poland, and the United States, among other countries. By studying the ramifications of Catholic Fundamentalism in the struggle for the RH Law, RH advocates hope to build a people’s movement for sexual and reproductive health and rights that is knowledgeable about the political misuse of religion and inclusive of all sectors, including faith and non-faith groups.

The opposition of Catholic bishops to the RH Law harks back to the Philippines’ participation in the United Nations International Conference on Population and Development when reproductive rights, sexual freedom and reproductive health figured squarely in the debate. Their carry over into the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) brought out further resistance to even moderate family planning programs. The Church’s attacks on the Magna Carta of Women¹ meant it also took 10 years to pass. An additional stumbling block for Catholic Fundamentalism was the word “gender” which they wanted expunged from the document. Accepting the proposed “gender equality” meant agreeing that the roles of women and men are socially constructed and thus interchangeable. In the Church’s view, biology determined that women handled the domestic sphere while men engaged in the public arena; although women could participate in public life, their giving the latter more attention than home and family would undermine her primary role (Dionisio, 2015).

¹ A comprehensive women’s human rights law that seeks to eliminate discrimination through the recognition, protection, fulfilment and promotion of the rights of Filipino women, especially those belonging in the marginalized sectors of the society. It conveys a framework of rights for women based directly on international law. <http://pcw.gov.ph/law/republic-act-9710>

Research Objectives

- To provide a systematic documentation and assessment of how conservative Catholic teachings have affected Philippine laws, policies and programs on sexual and reproductive health and rights, specifically the recently decreed Reproductive Health Law, in terms of their promotion of conservative Catholic teachings and their impact on SRHR policies and programs; and fundamentalist Catholic groups and personalities; and their actions and maneuvers.
- To identify alternative views among Catholic Progressives—women, the academe, economists, legal and medical experts, media personnel, and professional associations, as well as derive lessons from the RH advocacy experience in effective approaches to dealing with conservative Catholic groups.
- To highlight current threats and steps or actions to deal with present and continuing threats and possible future setbacks.

This research is not a study on Catholicism, but on the narrow and rigid interpretation of Catholicism that prevents the realization of basic human rights, and exerts efforts to infuse state policies and governance with its doctrines and teachings. Catholic Fundamentalism features a dominant and zealous religious minority, who just happens to be the framers and enforcers of Catholic policy. The portion of the population espousing alternative and more liberal views of the problem will here be termed in the context in which they identify themselves—as Catholic Progressives.

This national research is basically a descriptive study. It seeks to understand the ways by which Catholic religious doctrines are interpreted to influence public health policies and programs in the Philippines, especially on reproductive health. It specifically examines two diverse interpretations, the official teachings of the Catholic Church hierarchy, which are perceived to be immutable, absolute and dominant (Catholic Fundamentalism); and the contrary opinions of avowed Catholic leaders in different sectoral fields (public health, medicine, law, education, religion), which are more open, democratic and attuned to practical realities (Catholic Progressives).

There are different definitions of fundamentalism and there are Catholic progressives who aver that religious fundamentalism should be reserved only for the militant, fringe minority and that the proper term for the Philippines is “Catholic Orthodoxy.” This study begs to differ and to continue to define Catholic fundamentalism as “The use by minority church leaders and groups of the Catholic Church’s ideological and political power to impose anti-women and anti-Reproductive Health Rights doctrines on state policies and governance.”

Research Questions

The key question that the study seeks to answer is: *How did and how do Catholic fundamentalist teachings affect public policy, specifically in the making and implementation of the RH Law?*

- Specific questions that were explored are:
1. What are the fundamentalist Catholic teachings related to Reproductive Health (RH)?
 2. Who (institution, group, personalities) are the strongest purveyors of fundamentalist Catholic teachings in the Philippines?
 3. What are the effects of these teachings on public health policies and people’s lives?
 4. What are examples of alternative-to-fundamentalist views held by prominent Catholics?
 5. How do alternative Catholics view dealing with fundamentalist teachings and personalities?
 6. After the passage of the RH Law, what are the remaining challenges vis-a-vis Catholic fundamentalism and fundamentalists?

This national research provides information about Catholic doctrines in general and how the most conservative interpretations are wielded by fundamentalist Catholics to obstruct the formulation and implementation of pro-women and Sexual and Reproductive Health and Rights-based policies and programs.

This research also provides an initial broad picture of who the fundamentalist personages are and how they influence the development and implementation of public health policies and programs. The focus is on Catholic fundamentalists’ opposition to the formulation of policies on sexual and reproductive health, especially the RH Law. Also presented are counter-arguments and actions by Catholic Progressives and their allies, which have contributed to the passage of the Law.

With greater understanding of Catholic fundamentalism and the extent and ramifications of its power, including among Catholic believers, we hope to develop ways of mitigating harmful influences over public health policy, especially women’s health and sexual and reproductive rights. The research findings will also help build a proactive movement of SRHR advocates who are open-minded and informed about religion and secularism, and inclusive of members and actions among faith and non-faith people.

Research Methodology

The research methodology for the national study includes the use of both primary and secondary research. Using a qualitative methodology, the former covers six key informant interviews (KII), which are semi-structured and in-depth, conducted with various pro-Reproductive Health (RH) individual practitioners who are specialists in their respective sectors. The interviewees are self-avowed Catholics (women and men) who are prominent public figures—a human rights lawyer, an obstetrician-gynecologist, a Cabinet Secretary, an academic who used to head the government’s agency for women, and a woman-theologian. A Muslim academic knowledgeable about Muslim theology was also interviewed as a counterpoint to the Catholic views. The KIIs are intended to provide a multi-sectoral range of alternative viewpoints to the Catholic Fundamentalist view. They are not meant to be exhaustive or representative, only to illustrate. Given the request of one of the interviewees to keep his identity anonymous, we have applied the anonymity principle to all. The recording and transcripts of their interviews, however, are available in full even as their identities will remain anonymous.

The other method is a desk review of the official teachings of the Catholic Church, references to influential Catholic personalities, and assessments of the impact of both teachings and personalities on RH policies, especially the RH Bill and Law, the Supreme Court ruling on the Law, and the latter’s implications. Among the sources read and analyzed were the Papal encyclicals on marriage, the family, women and contraception; Vatican II documents, pastoral letters of the Catholic Bishops’ Conference of the Philippines (CBCP); Catholic arguments in the debates in Congress and the Supreme Court; the 1987 Philippine Constitution; local government unit ordinances; Department of Health Policies, national surveys on the RH Bill, and legal experts’ writings.

The process of data collection involved interview guides, selective sampling, virtual and physical collection of materials, followed by a review and then analysis of collected data, particularly of various relevant policies. The analysis used a human rights framework, particularly a women’s rights and sexual and reproductive health and rights framework. Information collected from desk reviews and interviews was analyzed for its content according to whether it was supportive or enabling, or violative, or neutral.

Limitations

The major limitation of the research is the small and relatively homogeneous sample of interviewees who illustrate alternative viewpoints. A major risk would be antagonizing Catholic fundamentalists as well as some progressive Catholics who would rather not apply the term Catholic fundamentalism.

2. PROFILING THE PHILIPPINES: SRHR AND CATHOLIC FUNDAMENTALISM

A Profile: The Philippines	
Islands	7,107
Total population (2010 Census and UN estimates 2015, respectively)	92.34 million 101,614,333
Population of women (2010 Census, PSA)	46,749,600
Population of young people (15-19 age group, 2010 Census, PSA)	9,676,359
Ethnic groupings (indigenous peoples/IPs) ²	110 ethno-linguistic IP groups
Religious groupings (United States Department of State, 2012)	Roman Catholic, Other Christian denominations, Muslims, Seventh-day Adventists, United Church of Christ, United Methodists, the Episcopal Church in the Philippines, Assemblies of God, The Church of Jesus Christ of Latter-day Saints (Mormons), and Philippine (Southern) Baptists; and the following domestically established churches: Iglesia ni Cristo (Church of Christ), Philippine Independent Church (Aglipayan), Members Church of God International, and The Kingdom of Jesus Christ, the Name Above Every Name
Official languages	Filipino, English
Mention of religion in the Constitution	4 times
Type of governance/form of government	Presidential
Gross National Income per capita (2013) (World Bank, 2015)	US\$ 3,270
Rate of economic growth (World Bank, 2016)	5.8% for 2015
Poverty Headcount Index/Poverty Incidence (PSA, 2016)	26.3%, 1st semester 2015
Population growth rate (World Bank, 2016)	1.6%, 2015
Literacy rate among females aged 10 years and over (2010) (PSA, 2013)	97.1%
Maternal mortality ratio (2011 Family Health Survey (FHS))	221 per 100,000 live births
Total fertility rate (Demographic Health Survey (DHS), 2013)	3.0
Adolescent fertility rate (15-19 age group, DHS, 2013)	57 live births per 1,000 women
Contraception prevalence rate and unmet need (DHS, 2013)	CPR - 55.1% all methods (modern methods – 37.6%; traditional – 17.5%) Unmet need: 18% (limiting – 11%, spacing – 7%)
Demand satisfied by modern methods (DHS, 2013)	51.8% 31.7% (15-19 years old)

Sources: Various, mentioned in the table.

² The indigenous peoples in the Philippines are defined by the Indigenous Peoples’ Rights Act (IPRA) of 1997 as: “A group of people or homogeneous societies identified by self-ascription and ascription by others, who have continually lived as organized communities on community-bounded and defined territory, and who have, under claims of ownership since time immemorial, occupied, possessed and utilized such territories, sharing common bonds of language, customs, traditions and other distinctive cultural traits, or who have, through resistance to political, social and cultural inroads of colonization, non-indigenous religions and cultures, become historically differentiated from the majority of Filipinos ...”

The Philippines, an archipelago of 7,107 islands, is located in Southeast Asia between the Philippine Sea and the Pacific Ocean to the east and the South China Sea to the west across from Vietnam. It has a total land area of approximately 343,000 square kilometers. The country's topography is diverse: mostly mountains and extensive valleys and plateaus interspersed with many rivers and lakes (Philippine Statistics Authority, 2010).

The total population of the Philippines, as of May 2010, was 92.34 million (PSA, 2012), with United Nations estimates placing the 2015 population at 101,614,333. Filipinos speak 186 languages and dialects, but the lingua franca is Filipino, which is based on Tagalog. English is a second official language (Paul, Simons, & Fennig, 2015). The literacy rate among the population 10 years and over was 97.1 percent in 2010, 97.2 percent for females and 97.0 percent for males (PSA, 2013).

The country had a gross national income per capita of US\$ 3,270 in 2013, above the average of US\$ 2,074 for lower middle-income countries (World Bank, 2015). The labor force participation rate (LFPR) was estimated at 63.8 percent in January 2015 (PSA, 2015).

The Philippines is a republic with a presidential form of government. There are three branches: executive, legislative, and judicial. The President acts as both the head of state and the head of government (Official Gazette, Philippine Government). As of June 2015, the Philippines has the following geographical-political subdivisions: 18 regions, 81 provinces, 144 cities, 1,490 municipalities and 42,029 barangays (villages) (PSA, 2015).

Reproductive Health in the Philippines

Through the Local Government Code of 1991, national government health services were devolved to local government units (LGUs) at the provincial, city and municipal levels. This decentralization process has fragmented the health system and allowed LGUs to adopt their own programs, at times at odds with national policies. For example, devolution has allowed LGUs not to implement

and even ban sensitive policies like the Family Planning program.

Because of the non-uniform and lax national program on Reproductive Health, which has existed since 1998, the reproductive health situation remains highly unsatisfactory: Instead of reaching anywhere near the MDG goal of a $\frac{3}{4}$ reduction in maternal deaths between 1990 and 2015, or 52 maternal deaths per 100,000 births, the percentage of deaths actually rose from 162/100,000 live births in 2006 (PSA, 2007) to 221 maternal deaths/100,000 live births in 2011 (DOH, FHSIS 2011).

The total fertility rate was 3.1 in 2012, one of the highest in Asia (World Bank, n.d.); adolescent fertility rate was 57 live births per 1,000 (PSA, 2013), with at least 1,260 girls under 15 in 2010 having had their first baby (Erica, 2013). Although the general HIV incidence is less than 0.1 percent, the growth rate of new HIV cases among vulnerable groups, like Men having Sex with Men, is high at 48 percent per year from 2006 to 2013 (DOH, 2013).

Despite the Philippines being a signatory to various human rights instruments that serve as the cornerstone of sexual and reproductive rights, Philippine laws and policies are not fully compliant. Laws on sexual harassment, rape, trafficking in persons, violence against women and children, and HIV-AIDS have been in place since the 1990s, yet implementation of these laws is weak due to financial, geographic, political and cultural barriers. The Anti-Discrimination Bill on sexual orientation and gender identity (SOGI), proposed since 2001 at the same time as the RH Law, continues to languish in Congress. One of the biggest obstacles to sexual and reproductive rights in the Philippines is the Catholic hierarchy and its doctrines against abortion, contraception, adolescent sexuality, divorce, and LGBT rights (Dacanay, 2013). Overzealous advocacy of these doctrines powers the strong and unrelenting opposition to SRHR policies at the executive, legislative and judicial levels. Thus, full exercise and realization of sexual and reproductive health and rights remain elusive to women and young people.

The Catholic Church and its Role in Philippine Politics

The landing in March 1521 of Portuguese explorer, Ferdinand Magellan, on Homonhon island in the central Philippines claiming the island for the king of Spain marked the beginning of Spain's conquest. Historian Gregorio Zaide states that Spain used the "cross" more than the "sword" in colonizing the Philippines (as cited in Manjon, 2009). The 377-year Spanish rule from 1521 to 1898 highlighted the dominance of Spanish friars and the Spanish civil government. As the Spanish friars were dispersed beyond Manila and learned local languages, they became the stabilizing force of the Spanish occupation (Dagdag, 1998). Their abuses, however, along with other colonial injustices, also sparked the revolution against Spain, initially among the intellectuals through the propaganda movement and later through armed rebellions in different provinces. Among the dissenters executed by the Spanish authorities for their roles in the revolution were three Filipino priests who fought for, among other things, the assignment to parishes of Filipino priests instead of their newly arrived Spanish counterparts (Pugay, 2013). National hero Jose Rizal, a leader of the Propaganda movement, wrote two allegorical novels describing friar abuses. They surfaced the dormant patriotic ardor which stimulated the beginning of the Philippine Revolution (Dolan, 1991).

The principle of separation of church and state was declared by the short-lived Philippine revolutionary government at its Congress in Malolos town, ironically held at the Catholic Church in Barasoain. When the Americans defeated Spain in 1898, followed by fighting revolutionaries in the Philippine American War, it established colonial rule over the Philippines from 1898 to 1946, and the government adopted America's brand of strict church-state separation (Pangalangan, 2010). The years after independence in 1946 saw a shift in power in the Catholic Church from a foreign clergy to a predominantly Filipino one.

The political power of the Catholic Church hierarchy came to the fore again in 1986. Street protests erupted when Cardinal Jaime L. Sin with the aid of the Catholic Radio Station, Radio Veritas, urged the citizenry—ultimately some two million people—to flood the streets around two military camps to protect Secretary of Defense Juan Ponce Enrile, and Vice Chief of Staff of the Armed Forces Fidel Ramos who were engineering a coup d'état to oust Marcos. The longstanding civil resistance movement thus culminated in a non-violent "People Power Revolution" that forced Marcos and his family to flee to exile in Hawaii and installed Corazon C. Aquino as the legitimate President. Aquino soon called for a commission to draft a new constitution. The Commissioners comprised 50 handpicked individuals, including two priests, one nun, and an economist aligned with the powerful Catholic organization, Opus Dei (Pangalangan, 2010). The result is a constitution that hews to Catholic teachings in its provisions on, among others, the family, church-state relations and reproductive rights.

In 2001, the Catholic Church leaders, especially Cardinal Sin, were again active in the impeachment and ouster of President Joseph Estrada, who was accused of accepting money from the illegal numbers game, jueteng (Seigel, 2013) and whose womanizing patterns made him anathema to Church leaders among others. A second People Power Uprising led to his overthrow and the succession of then Vice-President Gloria Arroyo to the presidency. Her regime was accused of corruption (Maaten, 2012). It also condoned the active meddling of the church hierarchy in public policy, making a point of discouraging modern contraception (Shahani, 2012) and allowing only Natural Family Planning in government clinics.

Catholic “Fundamentalism” in the Philippines

The significant social, ideological and political power wielded by the Catholic Church and its institutions is reinforced through its various institutions and property—schools, hospitals, orphanages, banks, land, church buildings, etc. The CBCP is generally considered a benevolent power broker because of the bishops’ active involvement in social justice issues like land reform, housing, mining, corruption and electoral reform.

Catholic power is embedded in the society, with its doctrines encompassing the majority of Filipinos as intrinsic parts of national moral values, ways of life and the conduct of social and public affairs. By public declaration, the Philippines is a secular state, but in practice, it remains a Catholic state with Catholic altars in prominent locations in public spaces and major public events routinely opening with a Catholic prayer. To be a Filipino implies that one hews closely to Catholic Church teachings on the subservience of women, the sanctity of marriage, the primacy of progeny in family relationships, and the sinfulness of contraception, abortion, homosexuality and divorce.

This strong identification with “Catholic values,” was most recently demonstrated in the Philippine participation in the Global Survey of Roman Catholics in 2014. Initiated by the Vatican in preparation for the Extraordinary Synod of Bishops on “The Pastoral Challenges of the Family in the Context of Evangelization” in October 2014, the CBCP was to ensure completion of the survey and send the results to Rome (Univision, Bendixen & Amandi International, 2014). A follow-survey was to take place the following year, 2015.

Over 12,000 self-identifying Catholic respondents participated in the survey in five continents and twelve countries with the highest populations of Catholics, including the Philippines, which ranked third.

The global survey showed that “a majority of Catholics worldwide were shown to disagree with Catholic doctrines on divorce, abortion, and contraceptives” – except in the Philippines and Africa. These results echo the findings of the Pew Research Center’s 2013 Global Attitudes Survey on moral values, in which a majority of Filipinos found divorce, abortion and homosexuality “morally unacceptable” (Pew Research Center, 2013).

That the Church has a questionable side is public knowledge, mainly drawn from anecdotal news accounts and everyday gossip. An array of clandestine malfeasances by bishops and priests ranging from the maintenance of mistresses, to sexual abuse in seminaries and financial corruption was exposed in detail by investigative journalist Aries Rufo in 2013 (Rufo, 2013). It did not generate much attention, not being widely publicized, or possibly because Catholics did not want to know.

Earlier, the travails of women and their circumvention of Catholic dictum and the Philippine law against abortion were raised by medical doctor, Marilen Danguilan, in the first public critique of the Church’s and state’s policies on contraception and abortion (Danguilan, 1993). Yet the term, religious or Catholic fundamentalism, has never been used to describe the harmful imposition of Catholic doctrines on women in the Philippines even though their situation is similar to other countries that link women’s oppression to religious fundamentalism.

As early as 1996, Polish legislator and RH activist Wanda Nowicka wrote about the strong push against contraception, abortion and sex education by the Polish Episcopate, inspired by Pope John Paul II and avidly supported by the pro-life women’s groups (Nowicka, 1996). Internationally recognized writer Michelle Goldberg discussed the Christianization of US policies nurtured by the Republican Party and the Bush administration (Goldberg, 2006). Feminist theologian Rosemary Radford Ruether traced extensively Pope John Paul II’s crusade against reproductive rights in UN forums beginning with the International Conference on Population and Development in 1994 up to the Vatican-led and inspired campaigns against sex education, contraception, emergency contraception, abortion and HIV-AIDS in Latin America, Africa and the Philippines (Ruether, 2006). As the Vatican campaign was embraced by Protestant and Muslim fundamentalist political parties and governments, it acquired the scale of a “global war” directed against women and their bodies, depriving them of sex education, contraception, safe abortion, and safety from STIs and HIV-AIDS.

3. UNDERSTANDING THE INTERLINKAGES

3.1. What are Fundamentalist Catholic Teachings Related to Reproductive Health and Rights (RHR)?

Catholic teachings emanate from the Congregation for the Doctrine of the Faith, the oldest of the nine congregations of the Roman Curia, the Pope’s administrative body. The Congregation for the Doctrine of the Faith has the duty to promote and safeguard the doctrine on faith and morals throughout the Catholic world. Catholic teachings are grouped in four levels (Henningesen, 2001):

- a. **Divinely revealed truth** or doctrines that are defined by the Pope and taught as infallible or dogma. Examples are the teachings on the blessed trinity, incarnation, and Immaculate Conception.
- b. **Definitive, non-revealed truths** which are regarded as infallible. These are matters of faith and morals that “even though not revealed themselves, are required to safeguard the integrity of the deposit of faith, to explain it rightly, and to define it effectively.” Examples are natural law and the immortality of the human person.
- c. **Authoritative but non-irreformable** or authentic but non-infallible teachings, which help to understand divinely revealed truth. Examples are the preferential option for the poor, definition of marriage, religious liberty, union of church and state, artificial birth control, and non-ordination of women.
- d. **Disciplinary rules** cover universal rules of the Church or Church practice. Examples are fasting, feasts of obligation, and celibacy of clergy.

Women as virgin mothers or sinners

The Catholic Church’s views on women are embodied in the two most prominent women in Christianity: the Blessed Virgin Mary, who is a virgin and mother of God; and Eve, who caused “original sin.” Mary’s being “virgin” and “mother” are the “two particular dimensions of the

fulfillment of the female personality” (Paul II, *Mulieris Dignitatem* n.17). The Virgin Mary is God’s expression of the dignity of women in the highest form possible, the “new Eve,” who is the model of redeemed woman (Paul II, *Familiaris Consortio* n.22).

Eve is the mother of the human race and was created by God from the rib of Adam to be his companion (Genesis 2:21-23). She committed “original sin” by eating from the tree of knowledge of good and evil, which would make her become like God (Genesis 3:1-6). St. Augustine, one of the most influential 4th century thinkers of the Catholic Church set the tone for the Church’s attitude toward women in stating that Eve was tempted to commit sin because “she was less rational and lacked self-control,” while Adam’s sin was an “act of kindness so that Eve would not be left alone” (Catholic Online, 2015).

For the Church, motherhood is a heroic act and a woman’s mission is illustrated by: “. . . brave mothers who devote themselves to their own family without reserve, suffer in giving birth . . . and face any sacrifice . . . to pass on to them the best of themselves” (Paul II, *Evangelium Vitae* n.86). A culture of life is dependent on women’s promotion of “a ‘new feminism’ which rejects the temptation of imitating models of ‘male domination’” (Paul II, *Evangelium Vitae* n.99). The Church sees genuine progress of women when the value of their maternal and family role is recognized, in contrast to all other public duties and occupations. It suggests a society that does not oblige wives and mothers to get a job, and criticizes “the mentality which honors women more for their work outside the home than for their work within the family” (Paul II, *Familiaris Consortio* n.23).

The Church frowns upon women’s rights advocates, whom it calls false teachers. The Church states further that women’s emancipation in society, in the family and in the nurturing of

children “is not emancipation but a crime . . . the debasing of the womanly character and the dignity of motherhood . . . of the whole family . . .” The husband is said to suffer the loss of a wife, their children’s mother and the home and the family’s steward as a consequence (Pius XI, *Casti Connubii* n.74-75).

Marriage as a sacrament, children as the primary end of family, and wives as subservient to husbands

The Church gives everyone the freedom to opt for either “virginity given by Jesus Christ, or . . . the bond of matrimony” as a status in life. It clarifies further that, “To take away from man the natural and primeval right of marriage, to circumscribe in any way the principal ends of marriage laid down in the beginning by God Himself in the words ‘Increase and multiply,’ is beyond the power of any human law” (Pius XI, *Casti Connubii* n.8).

In his encyclical on Christian marriage, Pius XI often referred to the teachings of St. Augustine, such as the blessings of marriage and the “order of love.” These three blessings of marriage are: 1) conjugal faith which prohibits extramarital sex, 2) marriage as a sacrament and a permanent union between man and woman, with remarriage not possible even to have children, and 3) children who should be given birth lovingly and educated religiously (Pius XI, *Casti Connubii* n.10). The latter is reiterated in the Code of Canon Law as: “The primary end of marriage is the procreation and the education of children” (Pius XI, *Casti Connubii* n.17). Children are considered as “the supreme gift of marriage” (Paul II, *Evangelium Vitae* n.26; Pius XI, *Casti Connubii* n.10) “in whom they (parents) find their crowning” (Paul II, *Familiaris Consortio* n.14).

St. Augustine’s “order of love” compares the hierarchy in the family with that of the Church. “This order includes both the primacy of the husband with regard to the wife and children, the ready subjection of the wife and her willing obedience, which the Apostle commends in these words: ‘Let women be subject to their husbands as to the Lord, because the husband is the head of the wife, and Christ is the head of the Church’” (Pius XI, *Casti Connubii* n.26). Pius XI pointed out that this subjugation does not disregard the woman’s freedom . . . but an overinflated freedom is prohibited, as well as the

woman’s separation from the man, which would harm the family (Pius XI, *Casti Connubii* n.27).

The family is both “the sanctuary of life” and “the domestic church.” It “has a special role to play throughout the life of its members, from birth to death” (Paul II, *Evangelium Vitae* n.92).

Human sexuality as both unitive and procreative and a function of marriage; sex education as the prerogative of parents

Pope John Paul II, citing Paul VI, taught that human sexuality is based on “the inseparable connection . . . between the two meanings of marriage: the unitive . . . and the procreative” (Paul II, *Familiaris Consortio* n.32). This means that the sexual union of husband and wife attains both meanings of marriage—the couple’s intimacy and the creation of life. “. . . And if each of these essential qualities, the unitive and the procreative, is preserved, the use of marriage fully retains its sense of true mutual love and its ordination to the supreme responsibility of parenthood to which man is called” (Paul VI, *Humanae Vitae* n.12).

As for sex education, this is a fundamental and non-negotiable right and duty of parents to their children (Paul II, Catechism of the Catholic Church or CCC 2221). The teaching must be accomplished at home or in schools selected and operated under their close direction). “[T]he Church reaffirms the law of subsidiarity, which the school is bound to observe when it cooperates in sex education . . .” (Paul II, *Familiaris Consortio* n.37). The law of subsidiarity, which is one of the core principles of the Church’s social teaching, says: “Human affairs are best handled at the lowest possible level, closest to the affected persons in order to balance state policies and prevent government’s excessive intervention” (Trinity Communications, 2015).

The Church’s teaching on homosexuality is based on the Holy Bible, which looks at homosexual acts as acts of serious corruption and as “intrinsically disordered.” These sexual acts go against the natural law because they exclude the transmission of life. These acts, which do not come from the

relationship between man and woman, are disapproved by the Church without exception (Paul II, CCC 2357). The Church sees that most men and women who have homosexual tendencies are experiencing difficulty and should therefore “be accepted with respect, compassion and sensitivity.” The Church calls on homosexual persons to become chaste and learn to slowly become the ideal Christians (Paul II, CCC 2358-2359). It is worth noting here that one of Pope Francis’ most famous responses when asked his views on homosexuality states, “If a person is gay and seeks God and has good will, who am I to judge him” (Catholic Herald Staff Reporter, 2013)?

Pregnancy at the risk of losing one’s life is rewarded by God, contraception is a grave sin, and abortion is an unspeakable crime

For the Church, life begins from the moment the ovum is fertilized. “The human being is to be respected and treated as a person from the moment of conception; and therefore from that same moment his rights as a person must be recognized” (Paul II, *Evangelium Vitae* n.60). It condemns direct sterilization of women and men, whether permanent or temporary, and any artificial birth control method that acts “either before, at the moment of, or after sexual intercourse, . . . to prevent procreation—whether as an end or as a means” (Paul VI, *Humanae Vitae* n.14).

The Church teaches that the reasons for using contraceptives are shameful, often false and exaggerated. It understands quite well the health condition or the risk to the life of a pregnant mother; but a mother risking or even losing her life heroically to save her child’s life will be rewarded by God who “alone . . . can reward her for the fulfillment of the office allotted to her by nature, and will assuredly repay her in a measure full to overflowing” (Pius XI, *Casti Connubii* n.58). Intercourse among spouses with the use of contraception is illicit and sinful. “[M]atrimony exercised in . . . a way that the act to generate life is deliberately frustrated . . . is an offense against the law of God and of nature . . . a grave sin” (Pius XI, *Casti Connubii* n.55, 56).

The Church approves of the natural family planning method: “God has wisely ordered laws of nature and the incidence of fertility in such a way that successive births are already naturally spaced . . . The Church, nevertheless . . . teaches that each and every marital act must of necessity retain its intrinsic relationship to the procreation of human life” (Paul VI, *Humanae Vitae* n.11).

The Church sees the close connection between contraception and abortion in the “development of chemical products, intrauterine devices and vaccines which . . . really act as abortifacients in the very early stages of the development of the life of the new human being (Paul II, *Evangelium Vitae* n.13).

Medical and therapeutic abortion is prohibited even if the mother’s health and life is in great danger as there can never be enough ground for the killing of an innocent child. “[I]t is against the precept of God and the law of nature: ‘Thou shalt not kill’. . .” (Pius XI, *Casti Connubii* n.64). The Second Vatican Council defines abortion, together with infanticide, as an “unspeakable crime” (Paul II, *Evangelium Vitae* n.58).

3.2. Who (institution, group, personalities) are the Strongest Purveyors of Fundamentalist Catholic Teachings in the Philippines?

In the order of their prominence and influence over public health leaders, these are the groups and individuals who purvey Catholic fundamentalism in the Philippines and strongly oppose RH policies.

Catholic Bishops’ Conference of the Philippines (CBCP)

The Catholic Bishops’ Conference of the Philippines (CBCP) is the group of bishops (Episcopal Conference) that leads the Catholic Church in the Philippines in its pastoral and evangelizing work. It includes very powerful personalities, like the late Cardinal Jaime L. Sin, Archbishop of Manila, whose charisma conjured the multitudes that protested against and toppled two sitting presidents, President Marcos in 1986 and President Estrada in 2000.

Beyond their participation in ousting presidents, the bishops—as a conference and individually—are active in a broad range of social justice issues such as land, housing, mining, environment, and graft and corruption. On these issues, they generally side with the poor and marginalized, pursuing their intention to be “a Church of the Poor.” On the issue of reproductive health, however, the reverse is true; bishops and the CBCP mobilized actively and fiercely against the RH Bill. As the Bill was being debated in Congress and the media, they would issue pastoral letters attacking it as evil (Odchimar, 2011 & CBCP News, 2012) and label legislator-sponsors of the Bill anti-God, anti-Life and anti-Family in sermons and public fora (Burgonio, 2012). Some even threatened President Benigno S. Aquino III, who supported the RH Bill, with excommunication and civil disobedience (Catholic News Agency, 2010 & Tan, 2010).

However, intense mobilization by the pro-Bill forces eventually prevailed. After 10 long years of struggle, the Responsible Parenthood and Reproductive Health Act of 2012 (Republic Act No. 10354) was passed in December 2012. The triumph was short-lived, however. Although as early as March 2013 the Department of Health with advocacy groups had formulated the Implementing Rules and Regulations, 14 Catholic entities, mainly “pro-life” groups with close ties to the bishops, halted the law’s implementation by questioning its Constitutionality before the Supreme Court (Imbong v. Ochoa).

Opus Dei

Opus Dei is a Catholic organization that was designated as a personal prelature by Pope John Paul II in 1982. A personal prelature is a special Catholic order whose members are not geographically bound and are lay people, not clergy. Its advocacy emphasizes “traditional Catholic values focused on spreading the Catholic teaching that every individual is called to become a saint and an apostle of Jesus Christ and that ordinary life is a path to sanctity” (British Broadcasting Corporation, 2009).

Opus Dei is perceived to be a fairly wealthy organization whose members are powerful figures in both the religious and the political spheres, and influential as key figures in the Vatican.

In the Philippines, Opus Dei member economists Jesus Estanislao and Bernardo Villegas began the work of organizing women and professionals in law, business, education, medicine and other key sectors. They established the Center for Research and Communication (CRC), a business and economic think tank which in 1995 would become the University of Asia and the Pacific (Opus Dei Philippines, 2014). Villegas was named to the 1986 Constitutional Commission and is credited with pushing for and injecting the proviso “protection of the fertilized ovum” as a state policy (Tiglaio, 2014). He, together with another Opus Dei member, former Senator Francisco Tatad, was part of the panel that pleaded in 2013 for the junking of the RH Law before the Supreme Court.

Pro-Life Philippines Foundation

Pro-life groups represent an amorphous body of organizations and individuals—some independent, others allied—that profess to be anti-contraceptives and anti-abortion, as part of their commitment to Catholic teachings. Prominent among these organizations is the Pro-life Philippines Foundation, set up in 1974 by Sr. Pilar Verzosa of the Religious of the Good Shepherd following her attendance at Human Life International (HLI) lectures in the United States. Since then and until the time of her death in 2012, Sr. Pilar stood at the forefront of the fight against abortion and the “contraceptive mentality.”

The Pro-Life Philippines Foundation provides information on issues pertaining to the “inherent value and dignity of human life,” and works closely with the Catholic Church. It also functions as a political and legislative lobby group that advances “pro-life” and “pro-family” causes. The group launches prayer rallies in front of women’s health clinics that they suspect provide abortion services. Pro-Life Philippines and allied “for-life” organizations were among the most visible and vocal lay organizations that campaigned and continue to campaign against the RH Law.

Another prominent “pro-life” personality is Jose “Lito” Atienza, who issued Executive Order 003 banning artificial contraceptives from 2000 to 2007 during his term as Mayor of the City of Manila. For this, he was conferred the “Pro-

Life Achievement Award” by HLI in 2007 (De los Reyes, 2007). However, the order caused a great deal of suffering among poor women, their children and husbands (Likhaan, Reprocen, and CRR, 2007). In 2009 it also triggered a court case by 20 women and their spouses against city officials, which was dismissed on a technicality. Atienza also formed “Rachel’s Support Group,” volunteers who allegedly experienced “post abortion syndrome” and now counsel women contemplating abortion to refrain from doing so. He is co-founder of the Buhay (“Life”) Party List, a political party elected to Congress in 2013 (discussed in a subsequent section).

Human Life International (HLI)

A Catholic apostolate based in Virginia, USA, Human Life International or HLI describes itself as the largest international “pro-life” and “pro-family” organization, with affiliates and associates in over 80 countries on six continents. Founded in 1981, its avowed mission is “to defend the God-given right to life and dignity of all human persons from conception until natural death.” “HLI addresses all life issues with fidelity to the teaching of the Catholic Church” (Human Life International, 2015).

HLI created the Catholic Family and Human Rights Institute (CAFHRI, now known as C-FAM) to earn Consultative Status with the UN Economic and Social Council (EcoSoc). This consultative status allows it access to all UN meetings and other events. In the UN, C-FAM acts as resource and information center to the Holy See Delegation (Goldberg, 2009).

According to *Opposition Notes: An Investigative Series on Those Who Oppose Women's Rights and Reproductive Health* published by the US-based Catholics for Choice (Catholics for Choice, 2011): “HLI may be one of the better-known anti-choice groups on the extreme fringes of the anti-choice movement, but it is not because of its effectiveness or coherence. Its notoriety is largely based on a reputation for vicious, hyperbolic pronouncements and a body of scandals as extensive as any that we have come across to date. It has been alleged to have committed a string of legal and ethical violations over the last 30 years, including racism,

incitement to violence, infighting, a woeful lack of managerial oversight, financial malfeasance, nepotism, and sexual misconduct. Because of its underhanded ways, HLI is alleged to have drawn flak from both inside and outside the church hierarchy.”

In the Philippines, HLI is active in countering Reproductive Health and Rights by working closely with the most hardline anti-RH bishops and legislators, organizing marches by devotees of the Virgin Mary (“Marian marches”) and prayer assemblies, and exhorting local government officials to reject the law (Bullecer, 2013). Its leaders in the Philippines are Rene Bullecer, a medical doctor, and Ligaya Acosta, a former employee of the Department of Health. Bullecer is “a cheerleader for the Catholic hierarchy in its campaigns against several reforms in Congress, including those on family planning, divorce and lesbian, gay, bisexual and transgender (LGBT) rights.” He thinks the RH Bill is “anti-life, anti-health, anti-family and anti-Christ” (Catholics for Choice, 2009). Acosta, on the other hand, is a lecturer who conducts “Pro-Life Congresses” covering topics like “The Global Anti-Life Agenda,” “Sex Education: Delusion and Destruction,” and “Understanding the Global Homosexual Agenda.” She says HLI offers pro-life training based on the authentic teachings of the Church on faith, life, and family, to help communities resist the temptation to accept secular ideologies” (Thomas, 2014).

Couples for Christ and Gawad Kalinga

Couples for Christ, or CFC, began as a family-based trans-parochial covenant community in 1981 to emphasize human spiritual formation of couples and their children (ALP, n.d.). Since then it has undergone a series of splits, but the core is led by Frank Padilla. The CBCP approved CFC in 1996 as a National Private Association of Lay Faithful, and in 2000, it gained the same recognition from the Holy See as an international entity, Couples for Christ Global Mission Foundation Inc., (CFC-GMFI, n.d.). In 2003, CFC Council member Antonio Meloto formally established CFC’s social development foundation, Gawad Kalinga (GK), which began raising funds to build homes for the poor (GK1World, 2014). Some members left CFC because they believed that CFC was veering away from its evangelistic mission (Diaz, 2008).

CFC and GK proceeded with building homes for the poor, embarking in 2003 on a grand project, GK777 (700,000 homes in 70,000 communities in seven years), an effort that earned Meloto and Padilla the prestigious Ramon Magsaysay Award in 2006. Participation of urban poor families seeking access to GK housing included confirmation of their willingness to practice only natural family planning.

Padilla and his supporters split from GK in 2007 to protest GK’s policy of accepting donations from pharmaceutical companies that manufactured or promoted artificial family planning (Alave, 2008). CFC allegedly received a letter from the Vatican warning that “accepting donations from those who promote abortion and contraception will compromise the Gospel of the Family and of Life, and will greatly harm our efforts to strengthen and defend the family and life.” The Vatican allegedly also wrote to CFC-GMFI in 2008 reiterating Vatican’s disapproval of the “overemphasis on social work” and GK’s receptivity to donations from groups that promoted artificial contraceptives” (Fonbuena, 2008).

The Padilla-led CFC-Foundation for Family and Life claims to be actively working in 40 dioceses in the country and in 60 countries throughout the world (Couples for Christ Foundation, Inc., 2009). GK’s Meloto, on the other hand, acknowledges that “preaching is important and an area in which the Church has been strong” but that Catholics also need to practice what they preach (UCAN, 2001).

BUHAY Party List

Buhay Hayaan Yumabong (Let Life Prosper), or BUHAY, is a political party championing “pro-life” issues backed by the Catholic charismatic group, El Shaddai Movement, which allegedly counted 220,000 members in the 2000s. Its advocacies are anchored on three central pillars that it compares to a tripod erected on moral high ground: “pro-life,” productivity, and good governance. Aside from strongly opposing the RH Bill, the party list group has also regularly filed bills in the House of Representatives which advocate the right to life of the unborn.

One of its prominent members is Lito Atienza, the former Manila mayor who was elected to Congress in 2012. During his first term in office, he authored a bill repealing the RH Law, and co-authored a bill to “Prohibit and penalize the sale and dispensing of Cytotec or Misoprostol drug” (House Bill No. 923, 2013). (Misoprostol is a medication for gastric ulcers that is also known to be effective in inducing abortion.)

3.3. What are the Effects of These Teachings on Public Health Policies and People’s Lives?

Catholic teaching on the protection of life from conception is enshrined in the 1987 Constitution, which also declares the Philippines to be “secular.”

The 1987 Philippine Constitution is one of the few constitutions that protect the unborn “from conception.” The Declaration of Principles and State Policies, Article II Section 12 states: “The State recognizes the sanctity of family life and shall protect and strengthen the family as a basic autonomous social institution . . . It shall equally protect the life of the mother and the life of the unborn from conception . . .” (1987 Philippine Constitution).

When “conception” begins is an unresolved constitutional issue, but the following interpretation by Catholic priest and lawyer Joaquin Bernas, S.J. is held by many lawyers and Supreme Court justices as the legal standard:

The unborn’s entitlement to protection begins from conception, that is, from the moment of conception. The moment of conception is popularly understood as the moment of fertilization which takes place outside the mother’s womb. The intention of the Constitution is to protect life from its beginning, and the assumption is that the gradual development of human life begins at conception and that conception takes place at fertilization (even if medical literature seems to see conception as the moment of implantation). Although the constitutional provision does not assert with certainty when human life

precisely begins, it reflects the view that, in dealing with the protection of life, it is necessary to take the safer approach. For this reason, the Constitution commands that protection be given from conception, that is, from the fertilization when biological life begins. (Bernas, 2010)

Other parts of the Constitution declare that “(t)he separation of Church and State shall be inviolable (Article II Section 6) and “(n)o law shall be made respecting an establishment of religion, or prohibiting the free exercise thereof . . .” (Article III Section 5). Because of this ambiguity, UP law professor and currently Solicitor General Florin Hilbay, noted that this Constitutional provision “can be susceptible to constitutional attack in more secularized jurisdictions” because it “institutionalizes religious practices” (Hilbay, 2010).

During the time of President Gloria Macapagal Arroyo (2001-2010), the Department of Health (DOH) adopted a Natural Family Planning (NFP) Only policy and banned the emergency pill, Postinor.

In 2001, when she became president until she left office in 2010, President Arroyo ordered the Department of Health to provide “Natural Family Planning” (NFP) methods only. In her first public speech at the Asia Pacific Conference on Reproductive Health in February 2001, she declared the government’s consideration of “population and reproductive health approaches that respect culture, values and equality between men and women” (Herrin, 2002). She also changed the mandate of the Population Commission (PopCom) from “facilitat(ing) coordination of policies and programs relative to population,” a mandate since 1990, to “promot(ing) natural family planning, birth spacing (three years’ birth spacing) and breastfeeding” (POPCOM, n.d.). Arroyo also appointed known “pro-life” people, like Frank Padilla’s wife, to key positions in government, like the DOH and PopCom.

Following her lead, DOH Secretary Manuel Dayrit in 2002 issued an order to mainstream NFP in the DOH on the ground that “NFP is the only method acceptable to the Catholic Church” (Malayang et al., 2006). He also subcontracted the Catholic group, Couples for Christ, to promote NFP in the

Department of Health at the price of PHP50 million (Austria, 2004).

Succeeding DOH Secretary Francisco Duque in 2006 assured the Catholic Bishops in a meeting that the national government would continue to promote NFP exclusively, not provide budget for Family Planning supplies, and offer technical assistance to local governments in their Family Planning efforts (Duque, 2006).

Earlier in 2001, Secretary Dayrit, through the Bureau of Food and Drugs (BFAD) which he headed, also withdrew the registration of the emergency contraceptive, Postinor. Preceding DOH Secretary Alberto Romualdez, had allowed Postinor to be used for women-victims of rape in the Women and Child Protection Units of government hospitals. Secretary Dayrit’s decision to delist Postinor was instigated by a complaint to BFAD by the Catholic group, Abay Pamilya (Companion of the Family), which alleged that Postinor was abortifacient, hence, illegal under existing laws and the Constitution” (Torres, 2001). Secretary Dayrit directed BFAD to take all appropriate actions to recall Postinor, cancel its product registration, and “prohibit its further use, dispensing, sale and distribution in the local market, if proven to be abortifacient.” BFAD, on the basis of the opinion of three medical authorities who agreed with the complainant, and without exhausting the regular procedures to resolve the issue, hastily concluded that there was “a clear finding of serious or lethal toxicity constituting undue risk to public safety,” and recommended to ban Postinor.

An appeal for reconsideration of the DOH decision was made in 2002 by the Reproductive Health Advocacy Network (RHAN), the network of RH advocates working on the RH Bill (RHAN, 2002). As a result, DOH convened an expert panel comprising three constitutional law experts and three obstetrician-gynecologists to hear arguments from Abay Pamilya’s and RHAN’s sides. On December 1, 2003, media reported that five of the experts had concluded that Postinor was not an abortifacient (Paredes, 2005). However, Secretary Dayrit wrote to RHAN only in 2004 that he decided to sustain the delisting of Postinor because the resulting vote by the experts of five (for allowing Postinor) and two

(against) was not unanimous. He also said that inasmuch as the pharmaceutical company had withdrawn its application for product registration, the case had become moot and academic (Dayrit, 2004).

From 2000 to 2011, local government officials in the executive and legislative branches banned artificial contraceptives and condoms based on “pro-life” values and teachings.

In the City of Manila and the barangay (village) of Ayala-Alabang, local officials who were “pro-life” ordered bans on contraceptives based on the claims that they caused abortion, immorality or disrespect for parents.

Manila: In 2000, Manila City Mayor Joselito Atienza issued Executive Order 003 declaring Manila a “pro-life” city that “promotes responsible parenthood and upholds natural family planning (NFP) not just as a method, but as a way of self-awareness in promoting the culture of life, while discouraging the use of artificial methods of contraception like condoms, pills, IUDs, surgical sterilization, and others.” The order stopped Family Planning information and service provision in all government health centers and hospitals from 2000 until the end of his tenure as mayor in 2007. NGO RH workers in Manila were lectured on abortion at the city hall while some were harassed by unidentified motorcycle-riding men as they conducted sexuality education in communities. The atmosphere surrounding the provision of RH information and services was so intimidating that service providers would hide contraceptive supplies in notebooks “as if they were contraband” (Likhaan & ARROW, 2004).

There were attempts to seek legal action against Atienza while he was still mayor, but would-be complainants were afraid the mayor would retaliate. In 2009, when 20 complainants, including three couples, filed a case to declare the Executive Order unconstitutional (Osil v. Office of the Mayor of Manila), it was dismissed at the Court of Appeals for technical reasons. When the case was referred to the Supreme Court, they passed it down to the Manila Regional Trial Court, where it languished until 2014, when the Court dismissed the case because the RH Law had superseded the order.

Barangay Ayala Alabang: On January 3, 2011, the Barangay Council (village legislative council) of Barangay Ayala Alabang, a barangay where some of the wealthiest people live, issued an ordinance “providing for the safety and protection of the unborn child within the territorial jurisdiction of Barangay Ayala Alabang” and “fixing penalties for its violations, and, for other purposes” (Barangay Ordinance 01, 2011). Among its objectives were: protection of the unborn from the time of fertilization, acknowledgment of the unborn as a human being with human personality, ensuring the mother's wellbeing by protecting against any threat that could affect the viability of the unborn child, and the encouragement of legal, moral, and healthy relationships based on the entitlements prescribed in the law and couples' religious conviction.

The “Declaration of Policies” included statements like: “contraceptive pills and hormonal contraceptives and the IUD may kill children and injure the health of women who use them”; “the irresponsible and indiscriminate use of contraceptives . . . undermine the solidarity of families by promoting premarital sex, giving rise to more fatherless children, more single mothers, more poverty, and more abortions when the contraceptives fail to prevent conception, and by causing a decline of legitimate marriages”; “condoms . . . promote and sanction immoral sexual congresses among the unmarried and especially among the young”; “since life begins at conception there is no place for the so-called ‘free choice’ argument to justify compulsory sex education in the schools within its territorial jurisdiction that . . . disregards the right of families or family associations . . . or that insidiously allows the State to take over ‘the natural and primary right and duty of parents’ to rear their children . . .”

Defining “abortifacients” broadly to include all contraceptives, the ordinance prohibited many acts including: any dispensing of contraceptives; the conduct of sex education “without prior consultation with, and written permission of, the parents or guardians of minor students in any school”; the use of barangay funds for the purchase or provision of contraceptives; and the solicitation, acceptance and dispensing of contraceptives by the barangay or its employees.

The ordinance was met with strong protests within the barangay and in media, and prompted Fr. Joaquin Bernas, S.J., Jesuit priest and one of the framers of the 1987 Constitution, to comment thus: “I believe, however, that there is something more eerily fundamental here. I see what is happening as an attempt by a sector of the Catholic Church to instrumentalize the power of the state to impose Catholic belief on all others. This is something which gives the Catholic religion a bad name. It is reminiscent of the Inquisition” (Bernas, 2011).

Barangay Ordinance 01 was disapproved by the City Council of Muntinlupa on May 12, 2011, citing legal and technical reasons but also asserting that contraceptives and condoms, including their access by teenagers, are considered legal (Corro, 2011).

The Supreme Court, in its 2014 judgment on the “Pro-Life” challenge to the RH Law, modified the RH Law further to restrict contraceptive services to adolescents, allow the requirement of spousal consent and expand the meaning of “abortifacient” and “conscientious objection.”

Implementation of the RH Law was halted by the Supreme Court on March 19, 2013 in response to 14 petitions by pro-life groups and individuals alleging, among others, that the law, violated: the natural law; the Philippine Constitution; the rights to life and health of women; parents' rights, and religious freedom, and caused immorality (Imbong v. Ochoa). The Supreme Court held hearings from June to July 2013 and issued its decision on April 8, 2014.

The decision declared that: “In general, the Court does not find the RH Law as unconstitutional insofar as it seeks to provide access to medically-safe, non-abortifacient, effective, legal, affordable, and quality reproductive healthcare services, methods, devices, and supplies . . . (H)owever, the religious freedom of some sectors of society cannot be trampled upon in pursuit of what the law hopes to achieve” (Imbong v. Ochoa).

While, therefore, generally upholding the RH Law, the Supreme Court decision struck down eight parts of it as violating religious freedom. The provisions listed below as originally included in RA 10354 have now been declared unconstitutional:

- Defined abortifacient as “any drug or device that *primarily* induce(s) abortion . . .”; and contraceptive as “any safe, legal, effective and scientifically proven modern family planning method, device, or health product, whether natural or artificial, that prevents pregnancy but does not *primarily* destroy a fertilized ovum.” The Court declared the word “*primarily*” “ultra vires” (i.e. beyond the legal power or authority), in contravention of the law, and dangerously implying that abortion will be defined differently from the destruction of a fertilized egg.
- Allowed minors access to family planning services without parental consent if they already have children or have had a miscarriage.
- Required hospitals exempted from providing Family Planning services (private, non-maternity and religious-owned-and-run hospitals) to refer patients not in an emergency situation, for Family Planning.
- Required health care providers who are conscientious objectors to render pro bono RH services which would be accredited by PhilHealth Insurance.
- Punished health care providers who: a) fail or refuse to provide information on RH; b) require married individuals to have spousal consent before undergoing a RH procedure; c) require parental consent for abused minors undergoing elective RH surgical procedures; and d) fail and refuse to refer patients seeking non-emergency RH services.
- Punished any public officer who refuses to support the RH program or acts to prevent its full implementation.

Nonetheless, the ruling that RA 10354 was “not unconstitutional,” except for the eight exceptions, meant that serious RH implementation could now get underway.

Catholic fundamentalist teachings negatively affected women and their families through the denial of RH information, commodities, services – particularly Family Planning, condoms, post-abortion care, and safe abortions.

Mayor Atienza's ban on contraceptives in Manila lasted for at least seven years and had dire results on the health of women and children, the financial capacities of families, and the morale of health providers in Manila. Interviews with poor women showed that they suffered the most because they had many more children than they ever wanted or felt they could

afford to have. With more mouths to feed, their children went hungry and could hardly go to school. The women expressed anguish at their lack of means to help. Some of them, who had been advised by doctors not to get pregnant again for health reasons, dreaded the prospect of dying each time they got pregnant. Marriages were strained, too, as women tried to desist from having sex with their husband, at times getting battered as a result, or even being left by their husbands; or they acquiesced against their will to avoid a quarrel and “scandalizing their neighbors with a fight over sex” (Likhaan et al., 2007). In the end, more babies were born into misery because of the Atienza ban.

Abortion is widely interpreted to be totally banned on any ground by a 1937 law. Four categories of abortion are criminalized: intentional abortion by a third party, unintentional abortion, self-induced abortion and abortion by a doctor, midwife or pharmacist (Revised Penal Code Articles 256, 257, 258, and 259). The crime is punishable by fine and/or imprisonment from a minimum of one month to as long as 20 years. Although there are no records of imprisonment due to abortion, the effect of the law is to stigmatize abortion, bar access to safe methods, and drive women in the hundreds of thousands to unsafe abortion.

Despite the law, the abortion rate is high, with 610,000 cases estimated in 2012. This resulted in over 100,000 hospitalizations for complications and about 1,000 deaths (Guttmacher Institute, 2013). Hidden in the numbers are the women who died from botched abortions—like the young doctor who was raped, forced to have an unsafe abortion, and who died of sepsis; or the mother of four who had severe, uncontrolled hypertension but was denied an abortion because the doctors agonized over sacrificing the baby, prioritizing its life over hers. Many more women survive an unsafe abortion but have endured both the physical pain and emotional pain of being blamed, shamed and rejected at the health facilities and in their own communities.

“ The Church is unwilling to admit and correct its flawed teachings on contraception because the moment it admits its error, it will lose its credibility among its faithful. ”

3.4. What are the Alternative Views of Progressive Catholics?

The teachings on women stunt their growth and value them only as mothers

The Church teachings on women are grounded in patriarchy, which persists and is pervasive in society, as well as in the Church. In the past, there were girl sacristans assisting the priests. But the hierarchy refuses to ordain nuns as priests or to have them teach in the seminary. That is why they remain “mother butlers” who wash the vestments of the priests (Sister, personal communication, August 22, 2014). The teachings limit women’s role to child bearing and to the home. They foist the belief that women’s role in the world is to give birth to babies. I agree that bringing about a new life is good, but one must not turn a blind eye on the lives of women. What about the quality of their life (Cabinet Secretary, personal communication, September 22, 2014)?

The Church is unwilling to admit and correct its flawed teachings on contraception because the moment it admits its error, it will lose its credibility among its faithful. Before one can successfully argue against its teaching, mothers have to die, children become orphans, and the girl children get pregnant and stop going to school (Cabinet Secretary, personal communication, September 22, 2014).

Teaching that sex is only for procreation is unnatural and devalues conjugal love. Parents are not comfortable talking about sex so they do not teach it.

The Church is not being practical in both its insistence on its definition of human sexuality and the parents’ right to teach their children sex education. The idea of the sexual act as mainly for procreation is unnatural because it must also have a unitive function. It must also be for showing conjugal love or affection. Without conjugal love, sex-for-procreation is not complete. If each sexual act is only for the purpose of procreation, then even natural family planning is wrong because it does not lead to reproduction. What about menopausal women? Are they not entitled to have unitive sex because they can no longer procreate (Sister, personal communication, August 22, 2014)?

Parents are not comfortable talking about sex education. That is the culture. So to insist on the parents’ right to teach sex education when they cannot do it is not practicable (Sister, personal communication, August 22, 2014). Although surveys confirmed that parents are being rated as the Filipino teens’ preferred sources of information about love and sexuality, the actual main information source is friends and the second source is the media (Internet, magazines) (De Irala et al., 2009). Moreover, parents are not equipped to teach their children for they themselves do not have the information or the necessary communication tools. Thus, cultural factors could also be included.

The Catholic hierarchy spreads its power through media, but also through people in one’s milieu. This power stifles self-expression in some RH advocates, and intimidates others. Dialoguing with fundamentalist Catholics is pointless because the real authority is in the Vatican.

The Church hierarchy is very influential. It uses many avenues to assert its influence. It has its own media (radio, TV, website) and the pulpit every Sunday to meddle in politics, policies and laws (Educator, personal communication, August 22, 2014).

Being an RH advocate is difficult in some families. I have brothers-in-law who are priests (and) we have an unspoken understanding not to talk about the RH issue as a sign of mutual respect. I cannot change their stand; that is the stand of the Church (Doctor, personal communication, September 3, 2014). Being an RH advocate can be risky too. As an educator in Catholic schools one cannot speak out openly about RH lest the students or their parents look for another school to enroll in (Educator, personal communication, August 22, 2014).

The hierarchy pressures politicians from all quarters through influential people like businessmen, relatives, parents, and friends. They also exert threats directly. During the debate on the RH Bill, Church leaders would request to dialogue, and legislators would accommodate them, only to find out that they were being given the run-around. Ultimately these Church leaders cannot make any compromise because they have to follow the Vatican. So the dialogues are useless (Cabinet Secretary, personal communication, September 22, 2014)!

Catholics are diverse in their view of RH and the RH Law: some maintain their critical thinking and some have stopped going to church. Some use Family Planning as a matter of conscience.

Catholics are diverse. There are Catholics who are born Catholics, but never practice. There are Catholics by habit, Catholics who just passively go to mass regularly. And there are many Catholics who are rational and are not swayed by pressures or impositions of restrictive Catholic teachings. The latter use their discernment or their critical thinking ability to determine what for them is moral or not (Educator, personal communication, August 22, 2014 & Lawyer, personal communication, September 1, 2014).

As a Catholic with my own position, I do not see any conflict between what I do and what I believe in. In fact, I do what I do primarily because of my belief, my Catholic upbringing and me being Catholic. I don’t readily obey what the bishops tell me to do. I think that is also the responsibility of every Catholic, to have his or her own discernment and reflection on what the proper conduct should be. I continue to be a practicing Catholic. In the end, being Catholic is a personal choice (Lawyer, personal communication, September 1, 2014). God gave us free will and conscience so that we will be able to balance things according to what is beneficial and what is good. It is the same when making decisions in medical practice (Doctor, personal communication, September 3, 2014).

I belong to the Church because I am a social creature. Others do not go to Church because they find the Church already irrelevant (Sister, personal communication, August 22, 2014). Some Catholics cannot tolerate the Church’s absolute obsession and negativity on reproductive health. So “I just do not go [to mass] anymore” (Educator, personal communication, August 22, 2014).

Catholics have changed. The change among the majority of the Catholics includes their practice of family planning. They just don’t tell. They follow their conscience because the conscience is prime. Many priests, who happen to be liberal, will also advise Catholics to follow their conscience. In the

Philippines, only about 37 percent of Catholics actually go to Church, compared to only about 10 percent or so in the U.S. (Sister, personal communication, August 22, 2014).

The Church of the Faithful is non-hierarchical and inclusive, open-minded and not authoritarian.

The Catholic Church is not just the leadership; it is the totality of the faithful that also includes the lay people. The Church considers people part of the Church even if they have a different interpretation of the Church’s basic principles and tenets because the Church is open. It is not rigid and does not impose on its faithful (Educator, personal communication, August 22, 2014 & Doctor, personal communication, September 3, 2014).

“ After RH, the Catholic Church should revisit, not necessarily the doctrinal teachings but its views on women, family life, marital life including SRHR and Violence Against Women (VAW). ”

3.5. How do Alternative or Progressive Catholics View their Religion and their Dealings with Fundamentalist Teachings and Personalities?

The importance of critical thinking among Catholics

If a Catholic is sensible, she or he cannot be persuaded by pressures or impositions of conservative Catholic teachings. She or he is rational enough to see what is reasonable and what is not. For example, I do not agree with the Church’s bombardment of anti-RH propaganda every Sunday so I just don’t go to mass anymore. I used to do my critical thinking in Church, but I see the Church is being too obsessive about RH in a way that is very, very threatening or insulting to the average Filipino, so I stopped going. In general, Filipinos will not tolerate an extremely unreasonable Church. Even cab drivers who listen to the radio for debates or commentaries have their own opinion. The Church underestimates the thinking of most Filipinos believing that they will just absorb “hook, line and sinker” what the Church says; but that is not the case. I think they (Church) are living in another planet (Educator, personal communication, August 22, 2014).

Catholic Church should revisit gender

After RH, the Catholic Church should revisit, not necessarily the doctrinal teachings but its views on women, family life, marital life including SRHR and Violence Against Women (VAW). There is always hope. If you ask the clergy, there is always hope and I think with the new Pope there are a lot of openings for new ideas, new progressive positions from the Catholic leadership (Lawyer, personal communication, September 1, 2014).

The lack of education and information about RH, about gender equality in particular, is an obstacle. Gender equality is an important fundamental principle that we need to understand before we can discuss SRHR. The notion that men and women are not equal is itself a big obstacle because in the Philippines that is not a commonly accepted proposition. As far as gender equality is concerned we have a long, long way to go. The RH Law, despite being a major gain, is a surface victory because we have to penetrate deeper into the lives of Filipino women, husbands and wives, conjugal partners, etc. Unless we reach that point, the RH Law will not be a total victory (Lawyer, personal communication, September 1, 2014).

Laws do not approximate reality. Laws can help address certain social problems, but the issue of violence and discrimination against women can evade laws. It is common knowledge that VAW is not reported. It is endured by women, so the law does not address the situation. The head of an (major territorial) office was caught on video beating up his wife, yet the response of the superior is that they don’t intervene because it is a family matter . . . (VAW) evades the law because of the culture and public acceptance, which are more influential than the law . . . Gender equality is not something that you can just mandate by law. You cannot change attitudes by law. You can control the action, you can control the offender, but the idea of gender equality should be accepted by all Filipinos (Lawyer, personal communication, September 1, 2014).

The importance of sustaining public opinion and action to counter the continuing opposition to RH

Debate and discourse must be kept alive to counter the steps made by the opposition to block the implementation of the law by implementing agencies, like the Department of Health. They are obstructing the purchase of contraceptive commodities by continuously bringing charges to the Supreme Court . . . (alleging) that these commodities are abortifacients and misinforming the public that contraceptives are prohibited by the Supreme Court. They even circulate the misinformation that the health department’s immunization programs cause community infertility (Cabinet Secretary, personal communication, September 22, 2014).

The need for policymakers to remain firm when engaging with Church leaders

When they are talking with Church leaders and groups, policymakers must not underestimate the opposition and give indications that they are open to persuasion. There are many programs where partnership with Church people is desirable; however, (policymakers) cannot compromise the delivery of a better quality of life to every Filipino family. I receive a lot of letters of complaint (from them) but responding to them would only take time away from running our programs. Many Filipinos need help. Do I focus on pushing the programs that would improve the quality of life of our people or do I attend to the demands of a small sector of society based on old beliefs? It is a choice between serving and engaging in politics. It is better to work quietly because once there is noise attracting the attention of the anti-RH people, work will be difficult (Cabinet Secretary, personal communication, September 22, 2014).

Anticipated challenges in implementing the RH Law

From the legal perspective, the following are all possible problems: 1. Many good laws have not been implemented properly so one possible challenge is to ensure that the RH Law will be properly and effectively implemented. 2. The petition questioning the constitutionality of the RH Law was just preliminary and there is still the possibility of

Constitutional challenges that can be filed later on as the RH Law is implemented. 3. We should be ready for future challenges in Congress which probably will introduce further amendments to weaken the law (Lawyer, personal communication, September 1, 2014).

Islamic Views on their religion and dealings with fundamentalist teachings and personalities

Under the Islamic faith, women are highly respected and cared for. Reproductive health policies and programs will not be a problem because there is a fatwa on reproductive health signed by different ulama. The fatwa allows family planning by all methods, encourages breastfeeding, and supports RH policies and programs as well as the expression of reproductive rights at all levels.

In the Muslim areas, the Ulama or the Asatidz are the influential people that the rest listen to and usually follow. There are two types of Ulama/Asatidz for this issue even in other Muslim countries: the conservative and non-conservative. The conservative ones are those who do not accept RH/family planning and the non-conservatives are those who do. The threats to RH are those Ulama/Asatidz who are not in favor of it. Thus advocacy is important to explain to them the pros and cons of the issues. As a positive thinker, so long as Muslims believe in the teaching of Islam, I see there will be no problem.

The one problem is that service providers, who are mostly Catholic and who hold contrary opinions, make it difficult for the Muslims who would like to avail of artificial methods, to access them. This is one of the reasons why maternal death is higher in Muslim-dominated areas, especially in the Autonomous Region of Muslim Mindanao (ARMM). Muslims have to understand the fatwa and apply it to real life problems despite barriers from Catholic service providers.

One of the challenges that I think would surface (in the implementation of the RH Law in Muslim areas) would be the lack of support (to the program) given that the Philippines is a Christian-dominated country. Non-recognition of Muslim

cultural practices could hamper the implementation of the programs and services for RH, leading to more deaths among mothers (Muslim academic, personal communication, November 30, 2014).

3.6. After the Passage of the RH Law, What are the Remaining Challenges Posed by Catholic Fundamentalism and Fundamentalists?

There are three categories of issues remaining:

Effects of Supreme Court amendments to the RH Law that affect access to contraceptive supplies and services

The first pertains to the requirement for the Food and Drug Administration to certify each contraceptive as “non-abortionifacient,” i.e. that the contraceptive acts before fertilization. The Philippines is the only country in the world that imposes this stringent and difficult requirement. Most countries subscribe to the World Health Organization’s definition of contraceptives, which differentiate contraceptives from abortion (WHO, 2015).

Second is the prohibition of minors, who have had children or have gotten pregnant, from accessing contraceptives unless they had their parents’ consent. In the Philippines, minors are all those who have not reached the age of majority, which is 18. The high rates of teenage pregnancy call for workable remedies.

Continuing prohibition against legal and safe abortion

This prohibition derives from the law forbidding all abortion—without a definition of abortion. This is compounded by the Constitution that broadly defines “conception” and “life” as beginning at fertilization. The conflation of contraception and abortion is thus being exploited by anti-RH legislators who are pushing bills to ban all contraceptives that they consider “abortifacient.” Furthermore, the provisions do not allow explicitly for exceptions even when the health or life of the mother is at stake. As a consequence, thousands of desperate women who see no other option opt for illegal unsafe abortion as their way of dealing with an unwanted pregnancy, often suffering dire consequences.

Issues stemming from actions by “pro-life” groups

On May 13, 2015, the organization, Alliance for Life and the Family (ALFI), petitioned the Supreme Court to stop the certification and distribution of all contraceptives, especially the sub-dermal implant (ALFI, 2015). In response to this petition, the Supreme Court 2nd Division, on June 17, issued a Temporary Restraining Order (TRO) to the Department of Health and all its “representatives and agents” to stop all pending registration of “contraceptive products”; and the “advertisement, promotion, distribution and dispensing of Implanon and NXT” (ALFI v Garin).

In Sorsogon City, south of Manila, Mayor Sally Lee issued Executive Order No. 3 on February 2, 2015, declaring the city as “pro-life” (Executive Order No. 3, 2015), highly reminiscent of the order by Mayor Atienza in 2000. The order was apparently inspired by HLI, specifically its director for Asia-Pacific, Ligaya Acosta, who actively campaigns against the “culture of death,” “population genocide,” and the “greed of population control agencies” like the IMF and World Bank (Acosta, 2015). The 7-paragraph order, predicated on the 1987 Constitution, is mainly declaratory, without policy provisions; yet city health officials have already stopped providing contraceptive supplies and services. An attempt to legislate the EO was thwarted by a delegation of DOH officials and RH advocates who intervened at the hearing of the city legislative council; efforts are underway to challenge the order and sustain Family Planning services.

Clearly, continuing vigilance is necessary. In January 2016 information came to light that toward the end of the national budget discussions in December 2015, the Bicameral Conference Committee (Bicam) to reconcile the Senate and House versions of the budget had slashed PHP 1 billion from the PHP 1.156 billion provision in the 2016 General Appropriations Bill. That amount had been earmarked for the procurement of “modern and natural family planning supplies.” Accused of foul play were legislators on the Bicam who had either been actively opposed to the RH Law or ambivalent about its passage. RH advocates immediately mobilized their forces through the Reproductive Health Advocacy Network (RHAN) protesting the action as

“arbitrary, unjust and callous . . . [The action] will thrust millions of impoverished families into greater destitution.” Other influential voices also came out in protest. Efforts are underway to recover the funds through various means, and it is determined also that next year’s budget will be severely scrutinized until the end of the legislative process.

Jubilant reactions at the apparent windfall came quickly from the CBCP and its allies. Lipa Bishop Ramon Arguelles, who heads the CBCP Permanent Committee on Public Affairs, approved the move as “very Filipino,” continuing: “I hope all PHP 1 billion will be spent to construct schools, give high education and moral formation for the young, and job opportunities for adults.” Fr. Jerome Secillano of the Nuestra Señora del Perpetuo Socorro Parish Church in Manila’s Sampaloc district, noted that it is “perplexing that a law that prevents life from developing should be funded. It is, therefore, good to know that no budget is allocated for the procurement of contraceptives. It’s a welcome news” (CBCP News, 2015).

DISCERNING DIVERSITY AMONG CATHOLICS

“Orthodox” and “Liberal Catholics”

The study indicates that on the issue of Reproductive Health, there is a growing rift within the Catholic Church between Orthodox Catholics who believe in the immutability and universality of traditional teachings; and Progressive Catholics who take a more flexible and pastoral view. The traditional view insists that: 1) women’s role is for motherhood and family, 2) sexual intimacy, which is only through marriage, should necessarily lead to procreation, and 3) young people should be subject to decisions of their parents. Progressive Catholics dispute this. They cite other sources of equally authoritative teachings. Pope John XXIII referred to women in the 1963 *Pacem in Terris* thus: “Far from being content with a purely passive role or allowing themselves to be regarded as a kind of instrument, they are demanding both in domestic and in public life the rights and duties which belong to them as human persons” (Ruether, 2006). Progressive Catholics also view sexuality as positive, for which they find support in the Bible’s “Book of Solomon,”

which graphically describes lovemaking and sexual pleasure (Miller, 2011).

Orthodox Catholics insist that the teachings on Reproductive Health are sinful; Progressives insist that they are not. In October 2008, 14 individual faculty members of the prestigious Jesuit-run Ateneo de Manila University issued a 16-page Position Paper entitled, “Catholics Can Support the Reproductive Health Bill in Good Conscience”:

After examining it [the RH Bill] in the light of Philippine social realities, and informed by our Christian faith . . . we believe that the provisions of the Bill adhere to core principles of Catholic social teaching: the sanctity of human life, the dignity of the human person, the preferential option for the poor and vulnerable, integral human development, human rights, and the primacy of conscience.

The statement adds that: “Acknowledging that poor women and their families suffered the most from the lack of reproductive health services, we see the bill as conforming to the Church’s teaching on the ‘preferential option for the poor’” (Guevara et al., 2008, citing *Gaudium et Spes*).

This bold public challenge to Catholic Orthodoxy from respected Catholic university faculty unleashed a stormy debate between the Pro-Life and Pro-RH advocates. It also succeeded, however, in calming the apprehensions of a public until then uncertain of how as Catholics they should react toward RH. Many expressed relief at the affirmation that they could support RH in good conscience.

Orthodox and Progressive Catholics disagree on attitudes to Catholic teachings. The former believe that ensuring obedience to the “natural law” is a Catholic duty, while the latter emphasize the exercise of “discernment” and “conscience.” The Ateneo professors emphasized that “Catholic social teachings...recognize the primacy of the well-formed conscience over wooden compliance to directives from political and religious authorities.” The Catholic nun interviewee asserts that the teaching on contraception is not infallible; and suggests that debate and even “dissent” is allowed.

The right to “dissent” is presumed to proceed from conscience and is included in the teachings on human rationality and religious freedom in the Catechism of the Catholic Church (Art.3, 3.i). Dissent is deemed allowed on papal teachings that are categorized as “authoritative non-infallible,” such as the ordination of women, contraception and homosexuality.

Catholic moral theology has propounded the concept of “probabilism,” which asserts that “in a disputed moral issue, a Catholic may, in good conscience, follow a position even though it is espoused only by a minority of reputable moral theologians” (Swidler, 1989). Probabilism was exemplified in the case of the Belgian priest, Fr. Louis Jansens, who justified the use of artificial contraceptives in some circumstances. His position gained traction among the majority of theologians and teaching authorities convened by Pope John XXIII and became the basis of the “Majority Report” that sought to allow the use of contraceptives by couples. Regrettably, Pope Paul VI disagreed and following a Minority Report, issued his 1968 papal encyclical, *Humanae Vitae*, forbidding all artificial contraceptives.

Apart from the academe, among the civil society organizations that actively counter the arguments and actions of Orthodox Catholics are the Filipino Freethinkers, the largest and most active organization for freethought in the Philippines that aims to promote reason, science, and secularism as a means of improving every Filipino’s quality of life; and the Catholics for RH (C4RH), a group of practicing Catholics that aims to make Catholics realize that there is no dissonance with their faith and belief in the advocacy and goals of reproductive health and rights. The latter has been denounced by two previous Presidents of the CBCP (Bishop Odchimar and Archbishop Palma) as a threat to Church unity and are not authentic Catholics (VVP, GMA News, 2011). There are also the multisectoral groups that cut across religion: women, community, health practitioners, media, youth, LGBT community, and government officials and employees.

Catholic fundamentalism and the separation of Church and State

A major difference between Orthodox and Progressive Catholics centers around the issue of the separation of Church and State. Catholic Fundamentalists in the Philippines count among their members militant political interventionists who use their vast religious and secular powers to institutionalize “pro-life” policies while opposing and undermining RH policies. Mayor Atienza’s contraceptive ban in Manila is a case in point. Progressive Catholics employ democratic political processes and engage with faith and non-faith groups to embrace secular and human rights-based policies.

“ Dissent is deemed allowed on papal teachings that are categorized as ‘authoritative non-infallible,’ such as the ordination of women, contraception and homosexuality. ”

The CBCP for its part has been described as “a national institution with a blending of moral and secular power at times equal to or superior to the power of Philippine civil authorities. Under the guise of moral righteousness, the CBCP has been a ruthless hardball player perfectly willing to get down in the muck of Philippine politics in order to achieve its institutional goals. Besides massive demonstrations, prayer rallies and media blitzes, the CBCP and its allies cut backroom deals, distort and make astonishing claims about issues and bully legislators and officials” (Hill, 2013).

Former Dean of the UP College of Law and now International Criminal Court (ICC) Judge Raul Pangalangan described three models of Church-State relations that characterized the Philippines historically: 1) strict separation, 2) union of Church and State, and 3) the “legalistic view that . . . holds that the separation doctrine is a constraint solely upon the state (to stop it from interfering with worship) and not upon the church (to stop it from interfering with the secular matters)” (Pangalangan, 2010). He cites as an example of the latter the CBCP’s “A Catechism on Family and Life for the 2010 Elections.” The catechism declared:

The separation of Church and State prohibits the State from interfering in Church matters, and prohibits the State from having a State religion. It does not imply a division between belief and public actions, between moral principles and political choices (CBCP Episcopal Commission on Family and Life, 2009). In fact, the freedom of religion upheld by our Constitution protects the right of believers and religious groups to practice their faith and act on their values in public life.

The Church has the duty to teach Catholics about the importance of taking their Faith with them in all their endeavors, including voting. Catholics must live their faith in order to integrate God into their lives. For faith to be genuine, it must be evident not only in Church activities, but in all aspects of life, at work, at home, and in politics as well. The Constitution guarantees the right of each citizen to exercise his or her religion. Catholics who bring their moral convictions into public life do not threaten democracy or pluralism but rather enrich the nation and its political life.

The obligation to participate in shaping the moral character of our society is a basic part of the mission which the Church received from Jesus Christ, who offers a vision of life revealed to us in Sacred Scripture and Tradition . . . Because we are people of both faith and reason, it is appropriate and necessary for us to bring this essential truth about human life and dignity to the public square. Church authorities exercise their teaching function also by reminding Catholic civil leaders of their moral obligations, especially in matters related to family and life . . .

The blurring of Church-state separation is defined in the Supreme Court’s having adopted the doctrine of “benevolent neutrality” in resolving legal cases involving religious issues in Philippine jurisprudence. The doctrine asserts that “the freedom to carry out one’s duties to a Supreme Being is an inalienable right, not one dependent on the grace of legislature. Religious freedom is seen as a substantive right and not merely a privilege against discriminatory legislation.

With religion looked upon with benevolence and not hostility, benevolent neutrality allows accommodation of religion under certain circumstances,” (Estrada v. Escritor, 2006).

Benevolent neutrality characterizes the Supreme Court’s ruling in 2014 on the challenges to the Reproductive Health Law. It conflated contraception and abortion; re-emphasized spousal consent for reproductive health procedures over and above individual agency; legislated parental consent for all contraception for minors; and affirmed a broad range of “conscientious objection” actions by health professionals, hospitals and political officials. In his preface to the decision, Justice Jose Mendoza asserted:

Freedom of religion was accorded preferred status by the framers of our fundamental law. And this Court has consistently affirmed this preferred status, well aware that it is “designed to protect the broadest possible liberty of conscience, the inner sense of what is right or wrong in one’s conduct or motives, impelling one toward right action . . . to allow each man to believe as his conscience directs, to profess his beliefs, and to live as he believes he ought to live, consistent with the liberty of others and with the common good. (Supreme Court decision on Imbong v. Ochoa, 2014)

Catholic advocates point out to their secular colleagues that ultimately it is important to recognize that the hierarchy and clergy are far from homogenous. There are bishops, priests and nuns who espouse more liberal, if muted, outlooks and who can exert great influence on their more cautious brethren. If the latter take seriously Pope Francis’ injunction to be with their people—and RH advocates add, listen to women—they can become the shepherds who should come out “smelling like sheep.” As a kind of *modus vivendi* between the New Orthodox and the Progressives emerges, perhaps then the hard-core Catholic fundamentalists will at last find themselves marginalized in the more pastorally-oriented, evidence-based and compassionate Church Pope Francis seeks.



“ Catholic Fundamentalism obstructs and derogates from the achievement of Reproductive Health and Rights in the Philippines . . . However, there is an emerging multi-sectoral movement to counter it, which includes the significant involvement of Progressive Catholic RH advocates.”

4. CONCLUSIONS

Catholic Fundamentalism obstructs and derogates from the achievement of Reproductive Health and Rights in the Philippines through its powerful religious and secular influence on policymakers and policymaking. However, there is an emerging multi-sectoral movement to counter it, which includes the significant involvement of Progressive Catholic RH advocates.

5. RECOMMENDATIONS

- 1. Policymakers must educate themselves about sexual and reproductive health and rights and ensure that these are “respected, protected and fulfilled” in the three branches of government.**

 - Executive policymakers—especially in health, social welfare and development, and local government—must ensure that there is universal access to Sexual and Reproductive Health (SRH) information and services, especially among the most vulnerable sectors—women, young people, and poor families.
 - Legislative policymakers—must review and amend laws that impose religious beliefs, such as the law on abortion and parts of the RH Law that were modified by the Supreme Court. Legislators must also appropriate adequate and regular budgets for RH programs.
 - Justices and lawyers—need to critique the implications of the benevolent accommodation doctrine and the effects, especially on women and marginalized sectors, of Catholic-influenced judicial and legal policies in the Philippines.
 - The Commission on Human Rights must strengthen its commitment to SRHR and operationalize its mandate as Gender Ombud to investigate and help prosecute SRHR violations, including the denial of access to SRH information and services by service providers and local government officials.
- 2. Reproductive Health advocates must continue to strengthen the scope and capacity of the multi-sectoral and nationwide RH Movement to push for SRHR policies and programs in different areas and levels of governance and to counter moves by pro-life groups.**

 - RH advocates must clarify and popularize the gender, human rights and scientific aspects of reproductive health, especially regarding contraception and abortion.
 - RH advocates must facilitate discussion and collaboration among progressive faith and non-faith groups—Catholics, Muslims, Protestants, agnostics, atheists, etc. Advocates must also continue to study and educate the public about religious fundamentalism in the Philippines; the specific ways that it affects SRHR, and learn from national and global lessons on human rights approaches.

“ RH advocates must clarify and popularize the gender, human rights and scientific aspects of reproductive health, especially regarding contraception and abortion. ”

 - RH advocates must lead in the documentation of and pursuit of remedial actions on SRHR violations, including the denial of SRHR information and services based on religious grounds.

3. RH advocates, especially faculty members of Catholic universities, must promote the progressive approach to understanding Catholic teachings.

- Work with theology departments and seminaries training priests, nuns and religious leaders to understand evidence-based, socio-cultural, economic, political and environmental realities, especially in relation to RH.
- Publish books and articles in journals, write newspaper columns, and give public presentations on social issues through radio, television or seminar/roundtables that can influence moral judgments and public opinion on RH.
- Participate in RHAN and NGO/grassroots groups’ activities that expose academics to the everyday lives of women and poor families with a view to narrowing the gap between the academe and people’s life situations.

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7. APPENDICES

Appendix 1: Glossary

Canon Law: Body of laws made by Church leaders to govern a Catholic organization.

Catechism of the Catholic Church: A compendium of all essential teachings of the Catholic Church, regarding both faith and morals, promulgated by Pope John Paul II in 1992 (Sjöberg, 2011).

Catholic hierarchy: The order of leadership in the Catholic Church headed by the Pope, followed by the College of Bishops heading specific geographic areas in different parts of the world.

Contraceptive mentality: A term used by John Paul II in his encyclical, *Evangelium Vitae*, that conflated contraception and abortion “as fruits of the same tree,” which are “rooted in a hedonistic mentality unwilling to accept responsibility in matters of sexuality” and “a self-centered concept of freedom, which regards procreation as an obstacle to personal fulfillment” (The Body Theologic, 2011).

Conscience: The individual’s inner moral compass that enables one to distinguish right from wrong or good from evil based on her/his reading of God’s laws (Dictionary.com Unabridged, n.d.).

Excommunication: An act of punishment by the Church where a member found formally guilty of violating Catholic rules is barred from receiving the sacraments instituted by Christ and observed by the Church as a means of or visible sign of grace (Donovan, n.d.).

Fatwa: A legal opinion or ruling on a matter of Islamic law issued by a recognized religious authority.

Gaudium et Spes: One of four major documents issued by the Vatican II Council in 1965 that clarified the teachings of the Church in “the modern world” including on poverty, economics, social justice, culture, science and technology and wars.

Magisterium: The authority on the authentic teaching of the Catholic Church which is exercised by the Pope and by Bishops in union with him and issued either as formal doctrines (“extraordinary magisterium”) or through public statements, homilies and other means (“ordinary Magisterium”) (Most, 1990).

“Natural law”: “The ‘divine and natural’ law shows man the way to follow so as to practice the good and attain his end. The natural law states the first and essential precepts which govern the moral life. It hinges upon the desire for God and submission to him, who is the source and judge of all that is good, as well as upon the sense that the other is one’s equal . . .” (John Paul II, CCC, 1992).

Papal encyclical: A letter authored by a Pope that is addressed to a specific audience of Bishops, either all of the Bishops in a specific country, or all of the Bishops in all countries all over the world (Thurston, 1909).

Pastoral: “Pastor” means shepherd in Latin and refers to the work and concern of the shepherd for his sheep. “‘Pastoral theology’ . . . is a practical science which tries to apply the revealed truths of our faith, and the directives of the Magisterium, to the problems of daily living” (Baker, 2012).

Pastoral letter: “An official letter from a bishop to all the clergy or members of his diocese” (Oxford Dictionaries, n.d.).

“People Power”: A peaceful mass uprising against oppressive rulers to demand major political change (Carter, 2012.)

Personal prelature: An order created by the pope whose members, unlike other orders that are geographically defined, are defined by their direct relationship to the pope. An example is the Opus Dei.

Pius XI: Through his encyclical, *Casti Connubii* in 1930, promoted Christian marriage and family life as the cornerstone of any good society and denounced artificial contraception.

Pope Paul VI: Issued the encyclical, *Humanae Vitae* in 1968 which reaffirmed the Church’s position condemning artificial contraception.

Pro-life: Individuals and groups that support the right to life of the unborn and favor criminalization of abortion (American Heritage Dictionary, 2011).

Religious Fundamentalism: The term originated as a reference to “*embattled forms of spirituality, which have emerged as a response to a perceived crisis*– i.e. the fear of modernity eroding faith and morality” (Armstrong, 2001). “This fear is increasingly directed at controlling women, especially their sexual and reproductive lives” (Kissling & Sippel, 2002). In this paper, Catholic Fundamentalism refers to the use of the political power of the institutional church to impose and inject conservative Catholic doctrines in state policies and programs.

Roman Catholic Church: The branch of Christianity headed by the Pope.

Roman Curia: The central government of the Catholic Church (Holy See, n.d.).

Second Vatican Council or Vatican II Council: Assembly of bishops convened by Pope John XXIII to make the Catholic teachings more up to date with the people in the twentieth century for a renewed understanding of the Church in itself and of the Church in relation to the changing times, and to other Christian bodies, other faiths and the secular world (Vatican II-Voice of the Church, 2015).

St. Augustine: One of the most important and well-known theologians in the history of the Christian religion who influenced many of the Church’s teachings, including on the Trinity, the soul, free will and sexuality. His ideas on women and sexuality were extensively cited in Pius XI’s *Casti Connubii*.

Synod of Bishops: A permanent institution established by Pope Paul VI in September 1965, whose tasks are to question the present concerns of the Church and to provide a deeper interpretation of God’s plan and the Catholic Church’s constitution, for the bishops around the world to unite and cooperate with the Holy See (Holy See, 2012).

Subsidiarity: A core Catholic teaching that holds that human affairs are best handled at the lowest possible level, closest to the affected persons. An example is the view that sex education or contraception is a parental or personal prerogative which states cannot intrude upon (Trinity Communications, 2015).

Ulama : A scholar or a body of scholars of Islam versed in both the theology and practice of Islam and who is/are often the religious teacher/s of the Islamic community.

This research is an initiative of a regional partnership working on building the interlinkages of religion (fundamentalisms and extremisms) on Women's Sexual Reproduction Health and Rights (SRHR). The ten partners are from India, Sri Lanka, Pakistan, Bangladesh, the Maldives, Indonesia, the Philippines, Malaysia, Morocco and Egypt. The regional partnership generates evidence on the interlinkages and the effects on wellbeing and human rights as part of national and international processes to achieve sustainable development and the realization of human rights. The research for partners from India, Sri Lanka, Pakistan, Bangladesh, the Maldives, Indonesia, and the Philippines was supported by the European Union as part of the action "Strengthening the Networking, Knowledge Management and Advocacy Capacities of an Asian-Pacific Network on SRHR" and the Swedish International Development Cooperation Agency (Sida). The research for Malaysia, Morocco and Egypt was supported by the Norwegian Agency for Development Cooperation (Norad).

ARROW is a regional and non-profit women's NGO based in Kuala Lumpur, Malaysia, and has consultative status with the Economic and Social Council of the United Nations. Since it was established in 1993, it has been working to advance women's health, affirmative sexuality and rights, and to empower women through information and knowledge, evidence generation, advocacy, capacity building, partnership building and organisational development.

Likhaan Center for Women's Health is an NGO comprised of grassroots and professional activists engaged since 1995 in studying and trying out strategies to advance women's and young people's health and sexual and reproductive rights. Its core issues are gender inequality, maternal mortality, contraceptive access, abortion law liberalization, adolescent reproductive health and universal health care. It runs three core programs: organizing community women and youth leaders for their rights; developing and providing client-centered primary reproductive health care for women; and advocating policies on SRHR and universal health care.

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